

UNITED STATES DISTRICT COURT  
District of Massachusetts

FILED  
IN CLERKS OFFICE

2005 JAN 19 P 2:58

JOSEPH P. SCHMITT, PRO SE., )  
PLAINTIFF, )

vs. )

JEFFREY SMITH, ET. AL., )  
DEFENDANTS. )

C.A. 04-10451-RWZ  
U.S. DISTRICT COURT  
DISTRICT OF MASS

PLAINTIFF'S MOTION FOR RECONSIDERATION  
REGARDING [14] MOTION FOR ORDER

Now comes the pro se Plaintiff in the above captioned action and moves this Court for reconsideration on its denial of [14] MOTION FOR ORDER.

As grounds for this motion Plaintiff states the following:

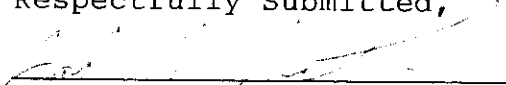
1. The Court is substantially violating my due process rights by allowing the defendants not to be held liable for thier theft of my legal documents, ie., Civil Action SUCV2002-02562. Plaintiff has filed ample evidence with his motion that clearly shows that defendants did in fact have my legal material in question and did turn it over to the Worcester Superior Court District Attorney Office.
2. The material in question is directly related to this present action and without it Plaintiff is in effect denied his substantial rights to evidence that can prove the defendants violations against him.
3. It is this Court's duty to protect my state and federal rights and by denying this motion for order the Court is clearly siding with the Defendants and violating my rights further.

WHEREFORE, Plaintiff hereby requests this Court review the motion in question and all relevant exhibits attached to said motion which prove the defendants stole my legal material then procrastinated to answer a formal grievance forcing me to withdraw my civil action in state court and refile a similar action in this court.

FUTHERMORE, Plaintiff hereby gives notice of his intention to file an appeal on this matter if the Court continues to uphold its denial of my Motion For Order.

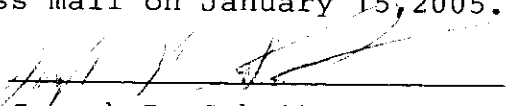
Dated January 15,2005

Respectfully Submitted,

  
Joseph P. Schmitt, M-81137  
MA. Treatment Center  
30 Administration Road  
Bridgewater, MA. 02324-3230

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the above document was served upon counsel for the defendants, Phillip W. Silva, by pre paid first class mail on January 15,2005.

  
Joseph P. Schmitt, M-81137